

## **ADDITIONAL REQUIREMENTS FOR IRRIGATION**

### **§295.31. Ownership Information Required; Exceptions.**

An applicant, seeking the use of state water for irrigation of particular tracts of land, shall be required to offer proof to substantiate his or her ownership of the land, except as otherwise provided herein. This section does not apply to an applicant which is a water corporation, water district, river authority, or governmental entity authorized to supply water to others.

### **§295.32. Documents and Information To Be Submitted.**

(a) An application to irrigate particular tracts of land shall contain the following information concerning the lands proposed to be irrigated:

(1) The original land survey or grant, the abstract number, and the name of the county in which the land is located.

(2) An aerial photograph, plat, or map submitted in accordance with §295.123 of this title (relating to Content Requirements of Maps) showing the tract of land within which a specified number of acres will be irrigated.

(3) A copy of the deed describing the applicant's land showing recording information from the county deed records.

(4) A legal description of any lands involved in the application.

(5) If the application includes irrigation of any land not owned by applicant, a consent agreement from the landowner, stating that the landowner recognizes that the permit will be owned by applicant and will not become appurtenant to the land. Renewal of a term permit issued under this chapter will require current documentation of consent agreements. This paragraph does not apply to an applicant who is a water corporation, water district, river authority, or governmental entity authorized to supply water to others or applicants diverting state water from the Rio Grande downstream of Amistad Reservoir.

(b) Applications requesting diversions of state water from the Rio Grande below Amistad Reservoir to irrigate land not owned by the applicant must demonstrate that the tract requested can be serviced from the authorized diversion points and with applicant's irrigation facilities.

(c) Applications requesting water diverted from the Rio Grande below Amistad Reservoir to irrigate land not owned by the applicant must provide the names and addresses of all owners of land to be included in the application. Notice of the request will be mailed by certified mail, at applicant's expense, to all affected landowners. Such landowners will be given two weeks within which to protest. If no protest is received, further notice will not be required.